



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,845	11/16/2000	Luc Vantalon	5442-025	7957

41972 7590 02/28/2008  
LAW OFFICES OF STUART J. FRIEDMAN  
28930 RIDGE ROAD  
MT. AIRY, MD 21771

EXAMINER
----------

LEE, MICHAEL

ART UNIT	PAPER NUMBER
----------	--------------

2622

MAIL DATE	DELIVERY MODE
-----------	---------------

02/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/716,845		VANTALON ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	M. Lee		2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Petition decision dated 9/24/07.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/5/05</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 22-25, 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Chao et al. (4,893,306).

Regarding claim 22, Chao discloses a digital television system, Figures 6 and 9, showing a multiplexer mechanism 36, a match framer 126, which meets the security mechanism as claimed, and a demultiplexer mechanism 39. The multiplexer mechanism includes a plurality of input FIFO storage mechanisms 67 each having FIFO readout circuitry coupled to the outputs of the input FIFO storage mechanism. The readout circuitry has a control circuitry (68, 70) for reading out stored packets (see col. 11, lines 21-42). The demultiplexer mechanism includes a plurality of output FIFO storage mechanisms 130 each having FIFO read-in circuitry coupled to the output of the match framer 126 for transferring signal packets from the different program signal transport streams to their respective ones of the output FIFO storage mechanisms.

Regarding claim 23, Chao states that the server 65 looks for newly arrived DTDM frames in the line buffers 64...sends the frames out in a...DTDM bit stream (col. 11, lines 16-20), which meets the claimed limitations as claimed.

Regarding claim 24, in addition rejection to claim 23, Chao performs the same functions as claimed when only one line buffer 64 is receiving data because the server 65 only finds data in that particular line buffer.

Regarding claim 25, the server 65 in Chao looks for newly arrived DTDM frames in the line buffers, and modifies the header field to include a line number, which meet the claimed limitation.

Regarding claim 27, in addition of above, the subsequent circuit connected to the FIFO storage mechanisms meets the utilization mechanism.

Regarding claims 28 and 29, see rejection to claim 25.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chao et al. (4,893,306) in view of Nishimura et al. (4,472,686).

Regarding claim 26, the server 65 in Chao does not specify the detector circuitry and the exclusive OR circuitry as claimed. Nishimura, from the similar field of endeavor, discloses a packet sync detector and marker showing a coincident detector 11, which meets the detector circuitry as claimed, and an exclusive OR gate 15, which meets the exclusive OR circuitry as claimed. Since the server 65 could be any conventional circuitry so long it was able to perform the header modifying function, it would have

Art Unit: 2622

been obvious to one of ordinary skill in the art at the time of the invention was made to include the detector and exclusive OR circuitries of Nishimura into Chao to perform the well known functions as claimed.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 23, 24 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 23, 24 and 27, it is not clearly that how is the "control circuitry" differentiate from claim 22.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fallin (4,891,805) shows a plurality of FIFO memories.

Bourdonnaye (5,212,687) shows a MUX and a DEMUX.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Omitz, can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a horizontal line.

M. Lee  
Primary Examiner  
Art Unit 2622